


<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>P70986US0</b>
		US APPLICATION NO. (If known, see 37 CFR 1.51) <b>AU/560426</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP04/006202</b>	INTERNATIONAL FILING DATE <b>9 June 2004</b>	PRIORITY DATE CLAIMED <b>16 June 2003</b>
TITLE OF INVENTION <b>FLUORESCENCE MICROSCOPY METHOD USING VARIABLE DYES AND/OR DYE COMBINATIONS FOR IMAGE EVALUATION</b>		
APPLICANT(S) FOR DO/EO/US <b>Ralf WOLLESCHENSKY, Bernhard ZIMMERMANN and Richard ANKERHOLD</b>		

**Applicant herein submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for Internatl. Preliminary Examination was made by the 19th month from earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is hereby incorporated by reference and
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the Internatl. Preliminary Examination report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☒ A Transmittal Letter with Substitute Specification and marked-up version of the application and replacement drawings.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:  
 International Search Report  
 First Page of Publication

US APPLICATION NO. <b>107560425</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP04/006202</b>		ATTORNEY'S DOCKET NUMBER <b>P70986US0</b>	
17. <input checked="" type="checkbox"/> The following fees are submitted: a) Basic national fee ..... \$300.00 b) Examination fee ..... \$200.00 c) Search fee ..... \$500.00  <b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				CALCULATIONS     \$1000.00	PTO USE ONLY
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction Thereof (round up to a whole number)	Rate		
*** - 100 = ***	*** / 50 =	****	x 250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	12 - 20 =	-0-	x \$50.00	\$	
Independent Claims	1 - 3 =	-0-	x \$200.00	\$	
Multiple Dependent Claim(s) (if applicable)			+\$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1130.00	
Reduction by 1/2 for filing by <b>small entity</b> , if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				\$ 1130.00	
Processing fee of \$130 for furnishing the <b>English translation</b> later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f))				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 1130.00	
Fee of \$40.00 for recording the enclosed <b>assignment</b> (37 CFR 1.21(h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31).				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1130.00	
a. <input checked="" type="checkbox"/> A Credit Card Payment Form authorizing the amount of \$ <u>1130.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>06-1358</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge my account any additional fees set forth in §1.492 during the pendency of this application, or credit any overpayment to Deposit Account No. <u>06-1358</u> . A duplicate copy of this sheet is enclosed.					
SEND ALL CORRESPONDENCE TO:  <b>JACOBSON HOLMAN PLLC</b> 400 7th Street, N.W., Suite 600 Washington, DC 20004 202-638-6666 <b>CUSTOMER NUMBER: 00136</b>					
			By 	Allen S. Melser Reg. No. 27,215	

10/560426

APP20 REC'D PCT/PTO 14 DEC 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ralf WOLLESCHEFSKY et al.

Serial No.: New

Filing Date: December 14, 2005

For: FLUORESCENCE MICROSCOPY METHOD USING VARIABLE DYES  
AND/OR DYE COMBINATIONS FOR IMAGE EVALUATION

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached hereto is a Substitute Specification, claims and abstract along with a marked-up version of the application and replacement drawings. No new matter is added.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 

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Atty. Docket No. P70986US0  
Date: December 14, 2005  
ASM/cmf